

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:21-CV-401-M

DORIS PEREGOY, )  
)  
Plaintiff, )  
)  
v. )  
)  
VERNON STEWART, in his individual )  
capacity and in his official capacity as )  
District Attorney for the 12th Prosecutorial )  
District; DONALD E. HARROP, in his )  
individual and official capacities; and )  
SUZANNE MATTHEWS, in her individual )  
capacity and in her official capacity as )  
District Attorney for the 12th Prosecutorial )  
District, )  
)  
Defendants. )

**ORDER**

This matter is before the court on the following motions:

1. Parties' Joint Motion to Extend Alternative Dispute Resolution Deadline [DE #48], filed April 4, 2023, which the court construes as a Rule 6(b)(1)(B) motion as it was filed after the mediation deadline had expired; and

2. Joint Motion to Substitute Mediator [DE #55], filed April 12, 2023.

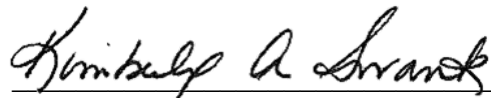
On April 11, 2023, a non-final, telephonic pretrial conference was held at which the court discussed with the parties the court's alternative dispute resolution procedures and the parties' motion to extend the mediation deadline.

Case management deadlines set by a Rule 16 order "may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). Where modification

is sought after the time has expired, excusable neglect must also be shown. *See* Fed. R. Civ. P. 6(b)(1)(B).

In its discretion and for the reasons stated at the April 11, 2023, non-final pretrial conference, the court GRANTS IN PART the Parties' Joint Motion to Extend Alternative Dispute Resolution Deadline [DE #48]. Additionally, the court GRANTS the parties' Joint Motion to Substitute Mediator [DE #55]. It is hereby ORDERED that Patricia L. Holland be appointed as mediator and the mediation shall be conducted by **May 5, 2023**.

This 25th day of April 2023.

A handwritten signature in black ink, reading "Kimberly A. Swank", written over a horizontal line.

KIMBERLY A. SWANK  
United States Magistrate Judge